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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/955,653	09/12/2001	Robert A. Koch	60027.0042US01/BS01191	1170
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WITHERS & KEYS FOR BELL SOUTH
P. O. BOX 71355
MARIETTA, GA 30007-1355

EXAMINER

PITARO, RYAN F

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/955,653	Applicant(s) KOCH, ROBERT A.	
	Examiner Ryan F. Pitaro	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 31 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 19-21 have been examined.

Response to Amendment

2. This communication is responsive to Amendment D, filed 5/31/2006.
3. Claims 19-21 are pending in this application. Claims 19,20, and 21 are independent claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooperman et al ("Cooperman", US 6,907,447) in view of Burg et al ("Burg", US 6,362,840) in view of Olshansky et al ("Olshansky", US 6,567,854).

As per independent claim 19, Cooperman teaches a system for providing a notification that an event has occurred, the system comprising: a client computer comprising an output device, a memory, a central processing unit, and a storage device containing computer-readable instructions for execution on the central processing unit

(Column 5 line 43 – Column 6 line 40), the computer-readable instructions operative to cause the client computer to transmit a request to provide a notification in response to the occurrence of the event to each of a plurality of a server computers, the request comprising a description of the event corresponding to the server computer and a user identifier (Column 3 lines 12-42), to receive from each of the server computers a request to provide a notification that the event has occurred and to open a new user interface window for each request that is received to thereby display each notification, each notification comprising a description of the event (Figure 13A-D); a plurality of server computers each comprising a memory, a central processing unit, and a storage device containing computer-readable instructions for execution on the central processing unit of the server computer (Figure 2), the computer-readable instructions operative to cause the server computer to receive the request to provide a notification from the client computer, to determine whether the event has occurred (Column 3 lines 12-42), to identify a network address for the client computer based on the user identifier in response to determining that the event has occurred, and to transmit the request to the client computer to provide a notification that the event has occurred at the network address (Column 3 lines 12-42); wherein at least one of the notifications that one of the events has occurred further comprises a hyperlink (Column 12 lines 25-54). Cooperman fails to distinctly point out the business computer being a billing server computer. However, Burg teaches a billing server computer wherein the client computer is further operative to receive a selection of the hyperlink and, based on the selection to place an order with the billing server computer (Column 7 lines 56-67, Column 8 lines 24-30).

Therefore it would have been obvious to an artisan at the time of the invention to combine the billing teaching of Burg with the system of Cooperman. Motivation to do so would have been to provide a visual reference of the type of service the hyperlink is set out to perform. Cooperman-Burg fail to distinctly point out a user specified event identified by a network address being an IP address. Olshansky teaches an event which a user subscribes to wherein the event occurrence is determined by an Internet Protocol address (Column 11 lines 22-37, Column 3 lines 7-24). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Olshansky with the system of Cooperman-Burg. Motivation to do so would have been to provide successful routing of information between the subscriber's computer and the data communication service.

As per independent claim 21, Cooperman teaches a system for providing a notification that an event has occurred, the system comprising: a client computer comprising an output device, a memory, a central processing unit, and a storage device containing computer-readable instructions for execution on the central processing unit (Column 5 line 43 – Column 6 line 40), the computer-readable instructions operative to cause the client computer to transmit a request to provide a notification in response to the occurrence of the event to each of a plurality of a server computers, the request comprising a description of the event corresponding to the server computer and a user identifier (Column 3 lines 12-42), to receive from each of the server computers a request to provide a notification that the event has occurred and to open a new user interface window for each request that is received to thereby display each notification,

Art Unit: 2174

each notification comprising a description of the event (Figure 13A-D); a plurality of server computers each comprising a memory, a central processing unit, and a storage device containing computer-readable instructions for execution on the central processing unit of the server computer (Figure 2), the computer-readable instructions operative to cause the server computer to receive the request to provide a notification from the client computer, to determine whether the event has occurred (Column 3 lines 12-42), to identify a network address for the client computer based on the user identifier in response to determining that the event has occurred, and to transmit the request to the client computer to provide a notification that the event has occurred at the network address (Column 3 lines 12-42); wherein at least one of the notifications that one of the events has occurred further comprises a hyperlink (Column 12 lines 25-54). Cooperman fails to distinctly point out the hyperlink being a telephone hyperlink. However, Burg teaches the client computer is further operative to receive a selection of the hyperlink and, based on the selection, to place a telephone call (Column 7 lines 27-34). Therefore it would have been obvious to an artisan at the time of the invention to combine the telephone link teaching of Burg with the system of Cooperman. Motivation to do so would have been to provide a visual reference of the type of service the hyperlink is set out to perform. Cooperman-Burg fail to distinctly point out a user specified event identified by a network address being an IP address. Olshansky teaches an event which a user subscribes to wherein the event occurrence is determined by an Internet Protocol address (Column 11 lines 22-37, Column 3 lines 7-24). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Olshansky

with the system of Cooperman-Burg. Motivation to do so would have been to provide successful routing of information between the subscriber's computer and the data communication service.

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooperman et al ("Cooperman", US 6,907,447) in view of Capps ("Capps", US 2002/0111813) in view of Olshansky et al ("Olshansky", US 6,567,854).

As per independent claim 20, Cooperman teaches a system for providing a notification that an event has occurred, the system comprising: a client computer comprising an output device, a memory, a central processing unit, and a storage device containing computer-readable instructions for execution on the central processing unit (Column 5 line 43 – Column 6 line 40), the computer-readable instructions operative to cause the client computer to transmit a request to provide a notification in response to the occurrence of the event to each of a plurality of a server computers, the request comprising a description of the event corresponding to the server computer and a user identifier (Column 3 lines 12-42), to receive from each of the server computers a request to provide a notification that the event has occurred and to open a new user interface window for each request that is received to thereby display each notification, each notification comprising a description of the event (Figure 13A-D); a plurality of server computers each comprising a memory, a central processing unit, and a storage device containing computer-readable instructions for execution on the central

Art Unit: 2174

processing unit of the server computer (Figure 2), the computer-readable instructions operative to cause the server computer to receive the request to provide a notification from the client computer, to determine whether the event has occurred (Column 3 lines 12-42), to identify a network address for the client computer based on the user identifier in response to determining that the event has occurred, and to transmit the request to the client computer to provide a notification that the event has occurred at the network address (Column 3 lines 12-42); wherein at least one of the notifications that one of the events has occurred further comprises a hyperlink (Column 12 lines 25-54). Cooperman fails to distinctly point out one of the hyperlinks scheduling calendar events. However, Capps teaches the client computer is further operative to receive a selection of the hyperlink and, based on the selection, to create an appointment ([0066] lines 1-22). Therefore it would have been obvious to an artisan at the time of the invention to combine the telephone link teaching of Capps with the system of Cooperman. Motivation to do so would have been to provide an easy way to gain user information and scheduling information without user intervention. Cooperman-Burg fail to distinctly point out a user specified event identified by a network address being an IP address. Olshansky teaches an event which a user subscribes to wherein the event occurrence is determined by an Internet Protocol address (Column 11 lines 22-37, Column 3 lines 7-24). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Olshansky with the system of Cooperman-Burg. Motivation to do so would have been to provide successful routing of information between the subscriber's computer and the data communication service.

Response to Arguments

Applicant's arguments with respect to claims 19-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F. Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ryan Pitaro
Patent Examiner
Art unit 2174

RFP